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Attorney's Docket No. P1966R1  
10/519,647

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY  
UNDER 37 CFR 1.63 AND 37 CFR 1.47(a)**

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am a joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Apo-2 LIGAND/TRAIL VARIANTS AND USES THEREOF**

the specification of which (check only one item below):

- is attached hereto.
- was filed as United States application Serial No. on  
and was amended on (if applicable.).
- was filed as PCT international application Number PCT/US2003/019750 on June 23, 2003 (Now USSN 10/519,647)

I am signing this Declaration on my own behalf and am also signing this Declaration under 37 CFR 1.47(a) on behalf of the non-signing inventor, Stephanie Ho Lindstrom, who cannot be found or reached and whose particulars and last known address is set forth below.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate or of any PCT international application having a filing date before that of the application(s) on which priority is claimed.

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119(a)-(d):**

Country	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
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**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
**(Continued)**

I hereby claim benefit under 35 U.S.C. 119(e) of any United States Provisional Application(s) listed below.

**Application No.(s)**  
60/391, 050

**Filing Date**  
June 24, 2002

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:**

U.S. APPLICATIONS		STATUS (check one)		
U.S. Application Number	U.S. Filing Date	Patented	Pending	Abandoned

**PCT APPLICATIONS DESIGNATING THE U.S.**

PCT Application No.	PCT Filing Date	U.S. Serial Numbers			

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint all Attorney(s) and/or Agent(s) associated with the following Patent Office Issued Customer Number to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

CUSTOMER NO: 09157  
PATENT TRADEMARK OFFICE

Send correspondence to Genentech, Inc.

Attn: Diane L. Marschang  
Telephone: 650-225-5416

I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issue thereon.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from his foreign patent agent as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Full name of first joint inventor

Robert F. Kelley

Inventor's Signature

Robert F. Kelley

1/02/06 Date

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USN

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**  
**(Continued)**

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Second Inventor's signature *Sarah Hymowitz* Date

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Full Name of third joint inventor  
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Third Inventor's signature Date

**NON-SIGNING**

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